

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-4 and 16 are presently active in this case, Claims 5-15 having been canceled by the present amendment.

In the outstanding Official Action, Claims 1, 2, 4-8, 11-14 and 16 were rejected under 35 U.S.C. 103(a) as being unpatentable over Moore et al. (US 006434381B1) via Stewart et al (US 006732176B1) via Dusse et al (US 006647260B2) and Claims 3, 9, 10 and 15 were rejected under 35 U.S.C. 103(a) as being unpatentable over Moore et al. (US 006434381B1) via Stewart et al. (US 006732176B1) via Dusse et al (US 006647260B2) in view of Coppinger et al. (US 20010046862A1).

In this Amendment, Applicant canceled claims 5-15. Claim 1 is the sole independent claim.

After entry of this Amendment, Claims 1-4 and 16 are pending in this application. The originally-filed specification, claims, abstract and drawings fully support the subject matter of Claims 1-4 and 16. No new matter was introduced.

On pages 2-8 of the Official Action, Claims 1, 2, 4-8, 11-14 and 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Moore et al. (U.S. 6,434,381 B1) via Stewart et al. (U.S. 6,732,176 B1) via Dusse et al. (U.S. 6,647,260 B2). Applicant respectfully traverses the rejection of Claim 1 under 35 U.S.C. § 103(a).

In light of the several grounds for rejection, and in order to simplify the issues and thereby expedite examination, Claims 5-15 have been canceled leaving only a single independent claim, Claim 1, pending, along with dependent Claims 2-4 and 16. Applicants respectfully traverse the outstanding grounds for rejection applicable to the remaining

pending claims, because in Applicants' view, the pending claims patentably define over the cited prior art references.

Briefly recapitulating, Applicants' invention is directed to a portable terminal in an information distribution system using a local server accessible through a local radio network for a short-distance communication and a subscription server accessible through a public network for a long-distance communication, as described at page 2, lines 23-26 of the specification, for example. More particularly, as disclosed in the specification, the portable terminal 1 is provided in an information distribution system including a Bluetooth base station (local server) 2 and a subscription server 3. The portable terminal 1 is equipped with a Bluetooth interface 17 and a public network interface 19. The portable terminal 1 can receive a communication service by selectively utilizing Bluetooth communications and public network communications according to time, place and occasion. The Bluetooth base station 2 is provided at a location where general public gathers, for providing information (especially original local information, such as transfer information or time table information in the case of a train or a bus, goods information or discount information in the case of a shop, or more general information such as news, weather forecast, traffic or accident information, etc.) with respect to the portable terminal 1 through the Bluetooth communications. The subscription server 3 is connected to the portable terminal 1 and the Bluetooth base station 2 through the public network communications, as described in the specification at page 5, line 31 - page 7, line 28 and FIGS. 1, 2, for example.

In a non-limiting example, the portable terminal 1 sends an access request for original local information provided by the Bluetooth base station 2, to the Bluetooth base station 2 through the Bluetooth communications along with a terminal ID for identifying the portable terminal 1, when accessing the Bluetooth base station 2 (S1). If the terminal ID is not

registered in the Bluetooth base station 2, the Bluetooth base station 2 sends a membership subscription guidance, which describes an address of the subscription server 3 therein, for urging the portable terminal 1 to carry out a membership subscription procedure, to the portable terminal 1 through the Bluetooth communications (S2-4). Upon receiving the membership subscription guidance, the portable terminal 1 sends the membership subscription request to the subscription server 3 through the public network communications along with the terminal ID, with reference to the membership subscription guidance (S5). Subsequently, a necessary subscription procedure (such as input of name and a point of contact, checking of the membership policy, and payment of the membership fee) is carried out between the portable terminal 1 and the subscription server 3 through the public network communications (S6). When the subscription procedure is completed, the subscription server 3 notifies the fact that the portable terminal 1 with this terminal ID has newly become a member, to the Bluetooth base station 2 through the public network communications (S7). Upon receiving this notification, the Bluetooth base station 2 registers the notified terminal ID therein (S8). In this system, in a case where there is a need to collect the membership fee, the membership fee can be charged by utilizing a charging system of the portable telephone public network carrier, as described at page 8, line 17 - page 10, line 24, page 16, lines 26-32 and FIG. 5 of the specification, for example.

Applicants respectfully submit that Moore et al., Stewart et al. and Dusse et al. fail to teach or suggest a portable terminal comprising a membership subscription request unit configured to receive a server access membership subscription guidance for urging the portable terminal to carry out a membership subscription procedure through the local radio network when the access request is rejected by the local server, and then send a server access membership subscription request through the public network to an address of the subscription

server described in the server access membership subscription guidance, as recited in Claim 1.

On the contrary, Moore et al. and Dusse et al. do not disclose at all a portable terminal configured to receive a membership subscription guidance from a local server through a local radio network and send a membership subscription request to a subscription server through a public network.

Stewart et al. focuses on a single wireless infrastructure which may be used by two or more network providers, as described at col. 1, lines 55-58. Network providers 160 are connected to wireless access points 120 via a network 130. A user's portable computing device (PCD) 110 includes identification information. The identification information stores information which identifies one or more network providers 160 to which the user of PCD 110 is a subscriber. The PCD 110 connects the network 130 or one of the wireless access points 120 and transmits the identification information to the network 130 or one of the wireless access point 120. The network provider 160 receiving identification information determines whether or not the identification information is known or recognized. If the received identification information is not known or recognized, the PCD 110 is forced to access a default network provider. Then, the user is required to register with a specific network provider and receives a registration web page, as disclosed at col. 10, lines 7 - col. 15, line 15 and FIGS. 1, 4.

Therefore, although Stewart et al. discloses a registration web page, there is a difference between the technical fields of the Applicants' claimed invention and Stewart et al. In particular, Applicants' invention focuses on a portable terminal for realizing information distribution system using a local radio network (see page 2, lines 23-26). On the other hand, Stewart et al. focuses on a single wireless infrastructure which may be used by two or more

different network service providers (see col. 1, lines 55-58). Further, since Stewart et al. fails to teach or suggest a local server providing original local information using a local radio network, Applicants respectfully submit that there is no motivation for combining Moore et al. and Stewart et al.

In view of the above-identified distinctions, it is respectfully submitted that Claim 1 clearly patentably distinguishes over the teachings of Moore et al., Stewart et al. and Dusse et al. even when these teachings are combined, ignoring the lack of motivation provided in the references themselves for doing so. Accordingly, the outstanding rejection of Claim 1 and Claims 2 and 4 dependent therefrom is believed to have been overcome, and withdrawal thereof is believed to be in order and is respectfully requested.

Turning now to the rejection of Claims 3, 9, 10 and 15 under 35 U.S.C. § 103(a) as being unpatentable over Moore et al., Stewart et al. and Dusse et al. in view of Coppinger et al. (U.S. 2001/0046862 A1), it is respectfully submitted that Coppinger does not cure the deficiencies in Moore et al., Stewart et al., and Dusse et al. In particular, it is respectfully submitted that Coppinger et al. does not disclose a portable terminal configured to receive membership subscription guidance from a local server through a local radio network and send a membership subscription request to a subscription server through a public network.

Summarizing, it is respectfully submitted that the cited prior art fails to teach or obviate "a portable terminal comprising a membership subscription request unit configured to receive a server access membership subscription guidance for urging the portable terminal to carry out a membership subscription procedure through the local radio network when the access request is rejected by the local server, and then send a server access membership subscription request through the public network to an address of the subscription server described in the server access membership subscription guidance."

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Consequently, in view of the present amendment and in light of the above comments, no further issues are believed to be outstanding, and the present application is believed to be in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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